

REMARKS

Claims 1-42 are pending in the application. Claims 1-16 and 23-30 are withdrawn.
Claims 31-42 are new.

In part 3 of the Office Action, the Examiner has issued a provisional non-statutory double-patenting rejection of claims 17, 20, and 21, asserting that these claims are not patentably distinct from claims 40-43 in copending U.S. Application No. 09/930,557. In response, Applicant submits, concurrently with this paper, a Terminal Disclaimer to obviate the rejection.


New claims 31-42 all depend from claim 17, and recite additional limitations that are fully supported in the specification, e.g, at pp.2-4, and at p.8. As such, these additional claims add no new subject matter.

In view of the above, Applicant believes that claims 17-22 and 31-42 are now allowable. The Examiner is therefore respectfully urged to allow these claims and pass this Application to issuance.

In papers submitted with this Response, Applicant has authorized the Commissioner to charge the fee set forth under 37 C.F.R. § 1.20(d) for filing a Terminal Disclaimer. Applicant believes no other fees are due. If any additional fees are in fact due, the Commissioner is hereby authorized to charge Howrey Deposit Account No. **08-3038** for the same referencing Howrey Dkt. No. **04813.0031.NPUS00**.

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Respectfully submitted,


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